IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.249 OF 2006
IN
APPEAL FROM ORDER NO.45 OF 2006

Shri Rajnikant K. Naugare. ..Applicant.

V/s.

Maharashtra Housing Area Development Authority & Ors. ..Respondents.

WITH

CIVIL APPLICATION NO.250 OF 2006
IN
APPEAL FROM ORDER NO.46 OF 2006

Shri Dattaram B. Bamgude. ..Applicant.

V/s.

Maharashtra Housing Area Development Authority & Ors. ..Respondents

WITH

CIVIL APPLICATION NO.251 OF 2006
IN
APPEAL FROM ORDER NO.47 OF 2006

Shri Deepak L. Bhosale. ..Applicant.

V/s.

Maharashtra Housing Area Development Authority & Ors. ..Respondents

Mrs.Lata Patne for applicants.

Mr.Mattos, AGP for respondents.

CORAM: A.M.KHANWILKAR,J

DATE : APRIL 7, 2006.

P.C. :

1. Pursuant to the order dated March 31, 2006, the Law Officer as well as Deputy Chief Officer (Transit Camp), both are present in court. They have offered explanation for the delay in allotting suitable accommodation in terms of order dated March 20, 2006. The explanation offered appears to be sufficient cause for the delay in issuing allotment letter. In the circumstances, the explanation is accepted. It is not in dispute that authorities have already issued allotment letter on 5th April, 2006, complying directions contained in order dated March 20, 2006. In that sense, nothing survives for consideration in this application.

2. The applicants will have to take steps to shift in the said newly allotted accommodation (transit camp) on or before 12th April, 2006, failing which it will be open to the authorities to take such measures as may be warranted in respect of the disputed structure. The authorities have assured that if the applicants approach the concerned officer in the course of the day, keys in respect of the accommodations allotted to the applicants will be made over, so as to facilitate the applicants to carry out minor repairs, if any, to make the said accommodation habitable, so as to shift all

his(their) belongings, which are lying in the disputed structure in the allotted premises(transit camp). Time to shift in the allotted accommodation till 12th April, 2006 as mentioned earlier is granted. Applications disposed of on the above terms.

3. Needless to observe that applicants will have to abide by the conditions imposed on the earlier occasion by order dated 20th March, 2006.

4. If the applicants visit the office of the concerned authority at 3 p.m. today, keys will be made available, as assured by the officers of the respondents who are present in the court.